

LAW OFFICES OF
KENYON & KENYON

WASHINGTON, D.C. OFFICE
1025 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036-5405
TELEPHONE (202) 429-1776
FACSIMILE (202) 429-0796

ONE BROADWAY
NEW YORK, N.Y. 10004
(212) 425-7200
FACSIMILE (212) 425-5288

EUROPEAN OFFICE
SCHILLERSTRASSE 19-25
60313 FRANKFURT AM MAIN
FEDERAL REPUBLIC OF GERMANY
TELEPHONE (49) (69) 97 58 05 0
FACSIMILE (49) (69) 97 58 05 99

CALIFORNIA OFFICE
RIVERPARK TOWERS
333 WEST SAN CARLOS ST., SUITE 600
SAN JOSE, CA 95110
TELEPHONE (408) 267-2600
FACSIMILE (408) 267-2155

DIRECT DIAL: 212-908-6101
EMAIL: RMAYER@KENYONLAW.COM

RECEIVED
TEKTRONIX, INC.

August 4, 1998

AUG 12 1998

LAW DEPARTMENT

Mr. Thomas F. Lenihan
TEKTRONIX Inc.
P.O. Box 500, M/S 50-Law
Beaverton, Oregon 97077

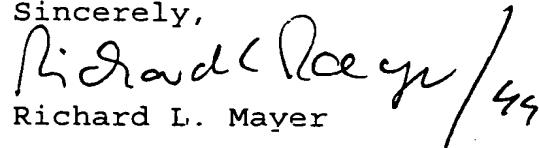
6553-US

Re: U.S. Application Serial No. 913,184 - Olaf Hoffmann, et al.
(former Siemens application GR95P4050)

Dear Mr. Lenihan:

In the above application, we have received the attached notification of abandonment for non-response to the notification of missing requirements. Please be advised that to date we have not received the MISSING REQUIREMENTS notification from the Patent Office.

If we can be of any assistance in dealing with this matter, please let us know.

Sincerely,

Richard L. Mayer

Enclosure



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

6553-US

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
08/913184	HOFFMANN	O 67190/954050
INTERNATIONAL APPLICATION NO.		
PCT/DE96/00457		
I.A. FILING DATE	PRIORITY DATE	
05 MAR 96	07 MAR 95	
DATE MAILED: JUL 16 1998		

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as

a Designated Office (37 CFR 1.494), an Elected Office (37 CFR 1.495), has made the following determination:

1. Applicant's letter of express abandonment received _____ is in compliance with CFR 1.138 and is hereby acknowledged.
2. Applicant has failed to provide the full U.S. Basic National Fee by 20 months (37 CFR 1.494(b)(2)),
 30 months (37 CFR 1.495(b)(2)).
3. Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 03 Dec 97 within the time period set therein.
4. Applicant has failed to properly respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed _____ within the time period set therein. See the attached NOTIFICATION OF DEFECTIVE RESPONSE (Form PCT/DO/EO/916).
5. Other.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C 371 and 37 CFR 1.494, 1.495 and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

Eless D. Brown, Paralegal

Telephone: 703-305-3659



Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR NTS
Box PCT
Washington, D.C. 20231

#2

08/913184

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
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08/913.184

HOFFMANN

O

67190/954050

INTERNATIONAL APPLICATION NO.

56.21

PCT/DE96/00457

LA. FILING DATE	PRIORITY DATE
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03/05/96 03/07/95

DATE MAILED:

12/03/97

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494), an Elected Office (37 CFR 1.495):

U.S. Basic National Fee.

Copy of the international application in:

a non-English language.

English.

Translation of the international application into English.

Oath or Declaration of inventors(s) for DO/EO/US. (Unsigned)

Copy of Article 19 amendments.

Translation of Article 19 amendments into English.

The International Preliminary Examination Report in English and its Annexes, if any.

Translation of Annexes to the International Preliminary Examination Report into English.

Preliminary amendment(s) filed 08 Sep 97 and _____

Information Disclosure Statement(s) filed _____ and _____

Assignment document.

Power of Attorney and/or Change of Address.

Substitute specification filed 8 Sep 97

Verified Statement Claiming Small Entity Status.

Priority Document.

Copy of the International Search Report and copies of the references cited therein.

Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice ~~MUST~~ be returned with this response.

Enclosed: PCT/DO/EO/917 Notice of Defective Translation
 PTO-875

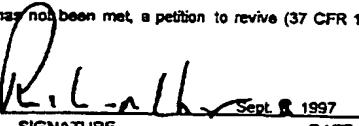
FORM PCT/DO/EO/905 (September 1996)

ELESS D. BROWN

PCT INTERNATIONAL DIVISION
703 305-3659

FORM PTO-1390 (REV. 5-93)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DC 67180/954050	NUMBER
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 08/913184			
INTERNATIONAL APPLICATION NO. PCT/DE96/00457		INTERNATIONAL FILING DATE (5.3.96) 5 March 1996		PRIORITY DATE CLAIMED (7.3.95) 7 March 1995	
TITLE OF INVENTION COMMUNICATIONS AND MEASUREMENT APPARATUS					
APPLICANTS FOR DO/EO/US HOFFMANN, Olaf, MERZ, Rudolf, NESS, Christian and PACK, Reinhard					
Applicants herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information					
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</p> <p>b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p>					
<p>6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</p> <p>b. <input type="checkbox"/> have been transmitted by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input checked="" type="checkbox"/> have not been made and will not be made.</p>					
<p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) (unsigned)</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>					
Items 11. to 16. below concern other document(s) or information included:					
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p><input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p>					
<p>14. <input checked="" type="checkbox"/> A substitute specification.</p> <p>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>16. <input checked="" type="checkbox"/> Other items or information:</p>					
English translations of PCT International Search and Preliminary Examination Reports					

Express Mail No. EM360779119US

U.S. APPLICATION NO. if known, see 37 C.F.R.1.5	INTERNATIONAL APPLICATION NO. PCT/DE96/00457	ATTORNEY'S L 87190/984059	FILE NUMBER	
17. <input checked="" type="checkbox"/> The following fees are submitted:		<u>CALCULATIONS</u> <u>! PTO USE ONLY</u>		
Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO \$910.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) . \$700.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.492(a)(2)) \$770.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(3)) paid to USPTO \$1040.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00				
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$ 910.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 0		
Claims	Number Filed	Number Extra	Rate	
Total Claims	4 - 20 = *	0	X \$22.00	\$ 0
Independent Claims	1 - 3 = *	0	X \$80.00	\$ 0
Multiple dependent claim(s) (if applicable)			+ \$260.00	\$ 0
TOTAL OF ABOVE CALCULATIONS =		\$ 910.00		
Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).		\$ 0		
SUBTOTAL =		\$ 910.00		
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$ 0		
TOTAL NATIONAL FEE =		\$ 910.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$		
TOTAL FEES ENCLOSED =		\$ 910.00		
*Calculations based on Preliminary Amendment.		Amount to be: refunded \$ charged		
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge Deposit Account No. 11-0600 in the amount of \$910.00 to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-0600. A duplicate copy of this sheet is enclosed.				
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.				
SEND ALL CORRESPONDENCE TO: Richard L. Mayer, Esq. KENYON & KENYON One Broadway New York, NY 10004				
141252-1		 Sept. 8, 1997 SIGNATURE DATE		
		Richard L. Mayer NAME		
		22490 REGISTRATION NUMBER		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

OLAF HOFFMANN, RUDOLF MERZ, CHRISTIAN NESS, REINHARD PACK

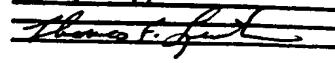
Serial No. 08/913,184

Filed: March 5, 1996

For: COMMUNICATIONS AND MEASUREMENT APPARATUS

Assistant Commissioner for Patents
Washington, D.C. 20231
Attention: Box Missing Parts

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on 12 Feb 19



RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed December 3, 1997 the missing Declaration, signed by the inventors and identifying this application by serial number and filing date, is submitted herewith.

Authorization to Charge Deposit Account

Please charge Deposit Account No. 20-0352 the amount of \$130.00 in payment of the surcharge due for filing of the Declaration.

Respectfully submitted,

OLAF HOFFMAN, ET AL.

By Thomas F. Lenihan

Thomas F. Lenihan
Reg. No. 32,152
Attorney for Applicant

TEKTRONIX, INC.
P.O. Box 500 (50-LAW)
Beaverton, OR 97077
(503) 627-7266

February 12, 1999

Attorney's Docket No.: 6553-US

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: COMMUNICATIONS AND MEASUREMENT APPARATUS

the specification of which:

(check one) is attached hereto.

was filed on March 5, 1996 as Application Serial No. 08/913,184
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I have identified below any foreign application(s) for patent or inventor's certificate from which I claim foreign priority benefits under Title 35, United States Code, Section 119 and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)	Priority Claimed			
195 09 690 (Number)	Germany (Country)	07/03/95 (Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

(Application Serial No.)	(Filing Date)	(Status-patented, pending, abandoned)
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(Application Serial No.)	(Filing Date)	(Status-patented, pending, abandoned)
--------------------------	---------------	---------------------------------------

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

William K. Bucher, Reg. No. 32,686; Ralph D'Alessandro, Reg. No. 28,838; Francis I. Gray, Reg. No. 27,788; Boulden G. Griffith, Reg. No. 32,804; John D. Winkelman, Reg. No. 26,523, Thomas F. Lenihan, Reg. No. 32,152. at telephone no. (503)-685-4204, 627-7266.

P.O. Box 4000, Delivery Station 63-LAW, Wilsonville, Oregon 97070-4000.

P.O. Box 500, Delivery Station 50-LAW, Beaverton, Oregon 97077.

Address all telephone calls to Thomas F. Lenihan at telephone no. (503) 627-7266.

Address all correspondence to Thomas F. Lenihan, Tektronix, Inc., P. O. Box 500, Delivery Station 50-LAW, Beaverton, Oregon 97070-1000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of **first or sole** inventor HOFFMANN, Olaf

Inventor's signature Olaf Hoffmann

Date 12.1.99

Residence Treseburger Strasse 4, D-10589 Berlin, Germany

Citizenship German

Post Office Address

Full name of **second** inventor MERZ, Rudolf

Inventor's signature Rudolf Merz

Date 11.1.99

Residence Hochhausweg 12, D-13589 Berlin, Germany

Citizenship German

Post Office Address

Full name of **third** inventor NESS, Christian

Inventor's signature Christian Ness

Date 12.1.99

Residence Vinetastrasse 22, D-13189 Berlin, Germany

Citizenship German

Post Office Address Trelleborger Strasse 33

Christian Ness

Full name of **fourth** inventor PACK, Reinhard

Inventor's signature Reinhard Pack

Date 11.1.99

Residence Baumeisterstrasse 2 A, D-12159 Berlin, Germany

Citizenship German

Post Office Address

THE U.S. PATENT AND TRADEMARK OFFICE
OFFICIAL MAILROOM STAMP AFFIXED HERETO
ACKNOWLEDGES RECEIPT FROM TEKTRONIX OF:

BY EXPRESS MAIL NO: _____

DATE MAILED: 2/12/99 Atty/Asst. TL:mp

Inventors: Olaf Hoffmann, Rudolf Merz,

Christian Ness, Reinhard Pack

Serial No.: 08/913,184

Docket No.: 6553-US Filing Date: 3/5/96

Title: COMMUNICATION AND MEASUREMENT
APPARATUS

ENCLOSURES:

Patent Application:

- Utility Design Provisional
- Specification _____ pages
- Claims _____ pages
- Drawings _____ sheets Formal
- Information Disclosure Statement
- Preliminary Amendment
- Assignment
- Amendment After Final
- Notice of Appeal
- Declaration/Power of Attorney
- Issue Fee

PETITION TO REVIVE UNINTENTIONALLY

ABANDONED APPLICATION

RESPONSE TO NOTICE TO FILE MISSING

PARTS OF APPLICATION
